

Maine Revised Statutes
Title 17-A: MAINE CRIMINAL CODE
Chapter 23: OFFENSES AGAINST THE FAMILY

§553. ABANDONMENT OF CHILD

1. A person is guilty of abandonment of a child if, being a parent, guardian or other person legally charged with the long-term care and custody of a child under 14 years of age, or a person to whom the long-term care and custody of a child under 14 years of age has been expressly delegated:

A. The person leaves the child in a place with the intent to abandon the child. Violation of this paragraph is a Class D crime; or [2001, c. 383, §68 (NEW); 2001, c. 383, §156 (AFF).]

B. The person leaves the child who is less than 6 years of age in a place with the intent to abandon the child. Violation of this paragraph is a Class C crime. [2001, c. 383, §68 (NEW); 2001, c. 383, §156 (AFF).]

[2001, c. 383, §68 (AMD); 2001, c. 383, §156 (AFF) .]

2.

[2001, c. 383, §156 (AFF); 2001, c. 383, §69 (RP) .]

3. It is an affirmative defense to a prosecution under this section that, at the time the offense occurred:

A. The child was less than 31 days of age; and [2001, c. 543, §1 (NEW).]

B. The child was delivered by the person charged under this section to an individual the person reasonably believed to be:

(1) A law enforcement officer;

(2) Staff at a medical emergency room;

(3) A medical services provider as defined in Title 22, section 4018; or

(4) A hospital staff member at a hospital. [2001, c. 543, §1 (NEW).]

[2001, c. 543, §1 (NEW) .]

4. It is an affirmative defense to a prosecution under this section that the person had voluntarily placed the child with a person, agency or medical facility and the placement resulted from communication between the person or the person's agent and the Department of Health and Human Services and health care professionals with the purpose of securing a placement that is in the best interests of the child.

[2013, c. 343, §1 (NEW) .]

SECTION HISTORY

1975, c. 499, §1 (NEW). 1995, c. 694, §C2 (AMD). 1995, c. 694, §E2 (AFF). 2001, c. 383, §§68,69 (AMD). 2001, c. 383, §156 (AFF). 2001, c. 543, §1 (AMD). 2013, c. 343, §1 (AMD).

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